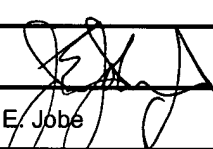
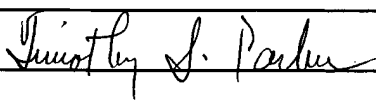


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| PTO TRANSMITTAL FORM (to be used for all correspondence after initial filing) JAN 10 2005 (Total Number of Pages in This Submission) | Application Number | 10/823,017 |
| | Filing Date | April 12, 2004 |
| | First Named Inventor | Fuller, Milton E. |
| | Art Unit | 3736 |
| | Examiner Name | Not yet assigned |
| 51 | Attorney Docket Number | 022274-000210US |

| ENCLOSURES (Check all that apply) | | |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO/SB/08A, EP search report, 2 references, Return Postcard |
| Remarks: The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430. | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|---|----------|--------|
| Firm Name | Townsend and Townsend and Crew LLP | | |
| Signature |  | | |
| Printed name | Jonathan E. Jobe | | |
| Date | January 7, 2005 | Reg. No. | 28,429 |

| CERTIFICATE OF TRANSMISSION/MAILING | | | |
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PATENT
Attorney Docket No.: 022274-000210US

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On January 7, 2005

TOWNSEND and TOWNSEND and CREW LLP

By: Timothy J. Berlin

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MILTON FULLER

Application No.: 10/823,017

Filed: April 12, 2004

For: METHOD AND APPARATUS FOR
NON-INVASIVE ANALYSIS OF
BLOOD GLUCOSE

Examiner: Unassigned

Art Unit: 3736

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37
CFR §1.97 and §1.98

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A are being called to the attention of the Examiner. Copies of references AU-AV are enclosed. Also enclosed is a copy of a Supplementary European Search Report dated November 15, 2004 which was issued in conjunction with counterpart European application no. 00989577.2, and in which these references were cited.

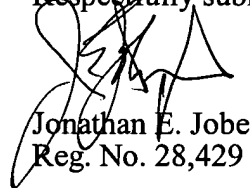
It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement, because this submission is prior to the issuance of a first Office Action on the merits.

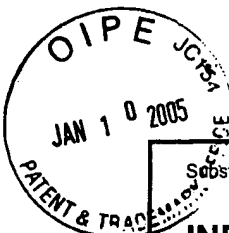
However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Jonathan E. Jobe
Reg. No. 28,429

TOWNSEND and TOWNSEND and CREW LLP
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San Francisco, California 94111-3834
Tel: 858-350-6100
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| Substitute for form 1449A/PTO | | | Complete if Known | | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | | Application Number | 10/823,017 | |
| | | | Filing Date | April 12, 2004 | |
| | | | First Named Inventor | Fuller, Milton E. | |
| | | | Art Unit | 3736 | |
| | | | Examiner Name | Not yet assigned | |
| Sheet | 1 | of | 1 | Attorney Docket Number | 022274-000210US |

| U.S. PATENT DOCUMENTS+ | | | | | |
|------------------------|--------------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number Kind Code ² (if known) | | | |
| | AA | US-5,050,607 A | 09/24/1991 | Bradley et al. | |
| | AB | US- | | | |
| | AC | US- | | | |
| | AD | US- | | | |
| | AE | US- | | | |
| | AF | US- | | | |
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| FOREIGN PATENT DOCUMENTS | | | | | | | | |
|--------------------------|--------------------------|---------------------------|---------------------|-----------------------------------|--------------------------------|---|--|--------------------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ | Number ⁴ | Kind Code ⁵ (if known) | | | | |
| | AU | EP | 0350546 | A2 | 01/17/1990 | Panosh, R. | | <input type="checkbox"/> |
| | AV | PCT | WO/99/328 97 | | 07/01/1999 | Anderson, et al. | | <input type="checkbox"/> |
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| Examiner Signature | | Date Considered | |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.
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